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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Sep 13, 2023

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

TF UNION GAP WA LLC, a Delaware
LLC,

Plaintiff,

v.
VALLEY MALL, LLC, a Delaware
LLC,

Defendants.

No. 1:22-CV-03194-SAB

**ORDER REMANDING MATTER
TO STATE COURT**

Before the Court is Plaintiff's Stipulated Motion to Remand the Case to State Court, ECF No. 27. Plaintiff is represented by Bruce Cahn and Ryan O'Hollaren. Defendant is represented by Brad Daniels and Harrison Owens. The motion was heard without oral argument.

On September 5, 2023, the Court held a hearing at the parties' request to discuss an issue of subject matter jurisdiction. Defendant had removed the case on December 5, 2022, based on diversity jurisdiction under 28 U.S.C. § 1332. However, after the hearing, the parties determined they did not satisfy complete diversity because certain members of their LLC ownerships lack diversity. Therefore, the case lacks subject matter jurisdiction to bring it in federal court.

Having considered the motion, the papers, and pleadings on file in this manner, the Court finds good cause to grant the motion.

ORDER REMANDING TO STATE COURT * 1

1 Accordingly, **IT IS HEREBY ORDERED:**

2 1. Plaintiff's Stipulated Motion to Remand the Case to State Court, ECF
3 No. 27, is **GRANTED**.

4 2. The above-captioned matter is **REMANDED** to the Yakima County
5 Superior Court for adjudication.

6 **IT IS SO ORDERED.** The District Court Clerk is hereby directed to enter
7 this Order, provide copies to counsel, and **close** the file.

8 **DATED** this 13th day of September 2023.



12 Stanley A. Bastian

13 Stanley A. Bastian
14 Chief United States District Judge
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